

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q91237

Takuya ANDO

Appln. No.: 10/555,277

Group Art Unit: 3713

Confirmation No.: 4620

Examiner: Reginald A. Renwick

Filed: November 2, 2005

For: GAME DEVICE AND GAME SYSTEM

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is

earlier), and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being paid via payment screen on the USPTO website.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language translation (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

In the Japanese Office Action, the Examiner asserts that:

1. JP 2003-938A and JP 2002-35429A disclose a gaming machine in which a plurality of players can play the same game at any one of stations, and the game machine is operable change a game condition to be more advantageous to a player who has obtained a prescribed game result;

2. JP 2003-117226A teaches to determine a class of a player in accordance with a game result of the player;

3. JP 2002-177630A teaches to store gaming values and pays out to a player when the player satisfied a prescribed condition; and

It is well-known to cause a payout ratio to converge on 100% or less.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

1. An English language abstract for JP 2003-938A.
2. An English language abstract for JP 2002-35429A.

3. An English language abstract for JP 2003-117226A.

4. An English language abstract for JP 2002-177630A.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

*/Alan J. Kasper/*

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Date: January 30, 2008